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**PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

United States District Court		District: <u>Western District of PA</u>
Name (under which you were convicted): <u>COREY HARRIS</u>		Docket or Case No.: <u>05-1116</u> <u>Amend</u> (To be assigned by clerk)
Place of Confinement: <u>Erie County Prison</u> <u>Erie PA, 16503</u>		Prisoner No.: <u>ID 2428-Cell</u> <u>D-65</u>
Petitioner (include the name under which you were convicted): <u>COREY HARRIS</u>		Respondent (authorized person having custody of petitioner): <u>v. WARDEN James Veshecco</u> <u>Erie County Prison Erie PA, 16503</u>
The Attorney General of the State of <u>Pennsylvania</u> <u>Tom Corbett</u>		
The District Attorney of the County of <u>Erie, PA</u> <u>Bradley H. Foulk</u> (county in which convicted) <u>Erie County</u>		
Criminal docket or case number of your conviction: <u>Case #: PACSES# 715105047, 165104344</u>		

If necessary, please attach additional paper. **DO NOT WRITE ON THE BACK** of this form.

**PETITION**

1. Name and location of court that entered the judgment of conviction you are challenging:

Erie County Court of Common Pleas Domestic Relations  
Section of Erie County, 140 West 6<sup>th</sup> St Erie PA, 16501

2. (a) Date of the judgment of conviction (if you know): 12/21/07 OR 11/21/07

(b) Date of sentencing: 12/21/07 AND Sentence IN 12/15/04 for the Same  
Case.

3. Length of sentence: 12/15/04 was for 18 month / 12/21/07 is for 3 months.

4. In this case, were you convicted on more than one count or of more than one crime? ☐ Yes ☒ No N/A Civil only

5. Identify all crimes of which you were convicted and sentenced in this case: ON 12/15/04 was

Sentence for 18 months for false Income Verification of Debt  
of Child-Support and arrears found in Contempt of Court  
Twice IN 12/21/07 for the Same Case Number were  
time was served Sentence to 3 months for Contempt of Court order.

6. (a) What was your plea? (Check one)

☒ (1) Not guilty ☐ (3) Nolo contendere (no contest)  
☐ (2) Guilty ☐ (4) Insanity plea

No plea was  
Require

- (b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did

N/A

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you plead guilty to and what did you plead not guilty to?

N/A

No Plea was require in this Support Contempt  
only Civil matter.

(c) If you went to trial, what kind of trial did you have? (Check one)

☐ Jury☒ Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing? NO Trial was require Enforcement officer only  
and the Judge Sentence me.

☒ Yes☐ No

8. Did you appeal from the judgment of conviction?

☐ Yes☒ No

9. If you did appeal, answer the following: NO Conviction Infront of Jury, Only Civil Support matter.  
NO PCRA is require

(a) Name of court:

(b) Docket or case number (if you know):

(c) Result:

(d) Date of result (if you know):

(e) Citation to the case (if you know):

(f) Grounds raised:

(g) Did you seek further review by a higher state court?

☐ Yes☒ No

If yes, answer the following:

(1) Name of court:

(2) Docket or case number (if you know):

(3) Result:

(4) Date of result (if you know):

(5) Citation to the case (if you know):

filed Civil Suit in state  
Court on Violation of Civil  
Rights.

10383-2007 Civil Suit

Same Judge in Civil Suit, Sentence me on Civil Support  
this Support A Conflict of Interest, See Case, 10383-2007

N/A10383-2007 open?

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(6) Grounds raised:

Violation of the Petitioner Constitutional Rights of the 4<sup>th</sup> Amend of Unreasonable Seizure of Person, and 5<sup>th</sup> of Double Jeopardy and Liberty of Freedom 8<sup>th</sup>, Cruel Punishment and Due Process, 6<sup>th</sup> Right to Counsel, 7<sup>th</sup> Right to Jury, 14<sup>th</sup> Due Process

(h) Did you file a petition for certiorari in the United States Supreme Court?

☐ Yes ☒ No

If yes, answer the following:

No Conviction, only Sentence for Contempt of Court.

(1) Docket or case number (if you know):

(2) Result:

(3) Date of result (if you know):

(4) Citation to the case (if you know):

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? ☐ Yes ☒ No

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court:

N/A

(2) Docket or case number (if you know):

(3) Date of filing (if you know):

(4) Nature of the proceeding:

(5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No

(7) Result:

(8) Date of result (if you know):

N/A

(b) If you filed any second petition, application, or motion, give the same information:

filed only A Civil Suit of Violation of Civil Rights Sec, Case # 10383-2007

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(1) Name of court: Not require only Civil Case No Crime Committed.

(2) Docket or case number (if you know): \_\_\_\_\_

(3) Date of filing (if you know): \_\_\_\_\_

(4) Nature of the proceeding: N/A

(5) Grounds raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No

(7) Result: \_\_\_\_\_

(8) Date of result (if you know): N/A

(c) If you filed any third petition, application, or motion, give the same information:

(1) Name of court: \_\_\_\_\_

(2) Docket or case number (if you know): \_\_\_\_\_

(3) Date of filing (if you know): \_\_\_\_\_

(4) Nature of the proceeding: \_\_\_\_\_

(5) Grounds raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No

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(7) Result: N/A

(8) Date of result (if you know): N/A

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: ☐ Yes ☒ No

(2) Second petition: ☐ Yes ☒ No

(3) Third petition: ☐ Yes ☒ No

Not require for civil support matters. only civil

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

Only Civil Case, of Contempt of Court order

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

**CAUTION:** To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE: On the 4<sup>th</sup> 5<sup>th</sup> 6<sup>th</sup> 7<sup>th</sup> 8<sup>th</sup> 14<sup>th</sup> Amend Due Process of law and Unreasonable Seizure of Person, and Double Jeopardy, Attachment

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

On December 15, 2004 Petition was sent from the same Contempt of Court Order that was on 12/21/07 Court Docket Number from 2004 this support Double Jeopardy, And No Crime was committed to imprisonment the Petition that support Unlawfully Custody, and 4<sup>th</sup> Amend of Unreasonable Seizure of Person, and Violation of Due Process of law, to incarcerated for a Civil matter were No Crime is committed is Unconstitution to Jail for a Debt. See Breit

(b) If you did not exhaust your state remedies on Ground One, explain why:

Time has Exceeded and time was spent and Sentence in 12/15/04 and the Again on 12/21/07 for the same PACERS Number case, on Contempt of Court Order of A Civil matter only No PCRA is Require for this Civil Case.

(c) Direct Appeal of Ground One:

(1) If you appealed from the judgment of conviction, did you raise this issue?

☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why:

Time Exceeded and was not Criminal Case of Conviction only Civil matter of A Civil Debt of Child Support.

Not require under state of civil matter.

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(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No No Trial or Jury Conviction, only civil matter of  
Content of Court order.

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Time Exceeded Not require

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Time Exceeded from 12/15/04 Sentence, AND is only  
Civil matter and Not A Criminal Case for Conviction.  
Does not meet the Eligibility for PCRA Relief, because  
It is only A Civil Case of Child-Support AND No Crime was Committed

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have

used to exhaust your state remedies on Ground One:

ON April of 2005 filed for  
habeas corpus Relief but was release from Prison before  
the Court Can Grant Relief. Now being Confined on the Same  
Civil Contempt Docket Number, for only A Civil Case.

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**GROUND TWO:**

14<sup>th</sup> Amend the Petitioner Right to be heard, and  
to Present Supporting Evidence, or Papers At a fair time and Place  
(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.): Due Process of Law.  
the Courts did not give fair Notice of warning As to See  
If the Petitioner had the means to pay any money or Amount  
due, for A Debt, without Due Process of Law, this Prison is  
holding the Petitioner Unlawfully, Were No Crime was Committed  
And the Court order was only for A Civil matter of Contempt  
Were Contempt is only If you are or were Infront of A Judge.  
Not A Contempt for matters outside of the Court.

(b) If you did not exhaust your state remedies on Ground Two, explain why:

Time Exceeded, And  
Is only Civil matter Were No Imprisonment Is require  
Unreasonable Seizure of Person, Support Unlawfully Custody

**(c) Direct Appeal of Ground Two:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

☐ Yes ☒ No(2) If you did not raise this issue in your direct appeal, explain why:

Time Exceeded And  
Not A Criminal offense Just A Civil matter Support  
A Civil offense, No Crime was Committed No Jail time for A Debt.

**(d) Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

No trial or Jury was require only A civil matter

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

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(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Time Exceeded And was only A Civil matter of Contempt and Not A Criminal offense.

Only Civil were No time is Expose for A Debt.

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you :

have used to exhaust your state remedies on Ground Two

Filed motion in Court of Common Pleas, in 2/2006 but was denied Relief, Sued in ACV11 Action for the false Income Verification with the same Judge Proceeded over the Child Support hearing, Rule in my Contempt order.

GROUND THREE:

6<sup>th</sup> Amend Right to Counsel, and 7<sup>th</sup> Right to Trial by A Jury, because I was Sentence over 6 months in 12/15/04

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

And Now As of 12/21/07 I had No Right to Counsel in my Criminal Contempt of Court hearing, And No Right to A Jury or Trial by Jury, the Enforcement officer order the Judge to Sentence me to Prison for 3 months Per Case on Contempt of Court order of Support, for only A Debt or for Not having any money. Civil Contempt.

(b) If you did not exhaust your state remedies on Ground Three, explain why:

N/A

(c) Direct Appeal of Ground Three:



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(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why: Not require for Civil Support Case were No Crime was Committed, or for only A Debt. Unlawful Custody of A Civil matter.

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No The requirements was Not their, base on Trial or Conviction of A Criminal matter. only Civil

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Time Exceeded and was only A Civil matter and Not A Criminal one. Now is being expose to the Same Changer Twice of Contempt of Court for A Debt.

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you

have used to exhaust your state remedies on Ground Three:

filed Suit in Civil Court

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on the matter of fault and false Income Verification  
of alimony and support order, open Civil Suit 103832007  
GROUND FOUR: 8th Amendment of Cruel Punishment CASE NO:  
to Incarcerate for A Civil matter,

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Do to not having any money and to be thrown  
in Prison for a False Debt of Child Support IN this  
State of PA IS Unlawful and Violates the Rights of  
the Petitioner. Am Not to have my Bond Set  
and to be held for only A Civil matter of  
Contempt of Court and Sentence Twice for the same  
Contempt order in 12/15/04 and Now 12/21/07 IS Unlawful

(b) If you did not exhaust your state remedies on Ground Four, explain why:

Time Exceeded  
on the case in State Court, base on A Civil matter  
of Contempt the U.S. Court hold the Rule of law  
and this claim support A Criminal Act of the  
Respondents in Unlawful Custody.

(c) Direct Appeal of Ground Four:

(1) If you appealed from the judgment of conviction, did you raise this issue?

☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why:

Time Exceeded  
and was Server already back in 12/15/04 to 2/17/06

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes

☒ No

Not require for Civil matter of Support.

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

N/A

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

N/A

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

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- (3) Did you receive a hearing on your motion or petition? ☐ Yes ☒ No
- (4) Did you appeal from the denial of your motion or petition? ☐ Yes ☒ No
- (5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☒ No
- (6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Only Civil matter that is not require by  
U.S. Law of are Constitution of Civil matters,

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Filed A Reconsideration

And was denied back in 12/15/04 and  
Filed Civil Suit on this issue in Court of  
Common Pleas but there's A Conflict of Interest  
Pending on this issue See Brief in Support

13. Please answer these additional questions about the petition you are filing:

- (a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? ☐ Yes ☒ No Time Exceeded from 12/15/04

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them: the 4th 5th 14th and 8th 6th 7th

Because as of Now there are recarcerating  
me for the same Civil Contempt order were I  
Serve 14 months on this same Docket Number. See Brief

- (b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which No ground or grounds have not been presented, and state your reasons for not presenting them: Action of

Civil tort and Violation of Civil Rights.

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A Debt is only A Tarness of Payment  
No Imprisonment Is Needed, Only A Civil  
matter of Contempt of being in Debt

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? ☒ Yes ☐ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available.

Back in April 05 2005 then about  
I filed A application of writ of habeas Corpus  
but was release before the Court will Grant  
It, back in 2/17/06, Now I motion to  
revisit the issue, because their are holding me  
in illegal Custody for the same 12/15/04 Case Number  
of Contempt of Court order.

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? ☐ Yes ☒ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

Court of Common Pleas, See Case No: 10383-2007  
they Jail me for filing A Civil Suit on these  
matter At hand. See Petition Civil Action Suit  
In Case No: 10383-2007 And the filed motions that was denied

16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing:

"None" the Public Defender office stated  
that they only represented Criminal Case matters, not Civil

(b) At arraignment and plea:

None

(c) At trial:

None

(d) At sentencing:

None

(e) On appeal:

None

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(f) In any post-conviction proceeding: None

(g) On appeal from any ruling against you in a post-conviction proceeding: None

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? ☐ Yes ☒ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date the other sentence was imposed: 12/15/04 and 12/21/07

(c) Give the length of the other sentence: 18 months and 3 month in together.

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? ☐ Yes ☒ No only A civil suit for Damages impose

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.\*

BECAUSE on 12/15/04 I was Sentence to 18 months for A Civil matter of Child-Support, were No Crime was or has been Committed, Time was Server and Spent at the Erie County Prison, on the Same Docket Number, that Now is being Server Again on the Same Civil matter of Child Support Content of Court order, As of 12/21/07 this Civil Case has become A Criminal Allegement of A Racketeering Influenced and Claims of Organize Crime and Corrupt Organization Act for Incarcerated for A Debt of only A Civil matter that impose No Imprisonment Under the U.S. Constitutional Law of this United States. See Brief in Support of this Writ of Habeas Corpus Relief. This is also Double Jeopardy of Twice being expose to the Same Civil offense.

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And, Unreasonable Seizure of Person Without  
Reason, and ~~14th~~ 14th Amendment of Due  
Process of Law being Violated, See Brief  
IN Support.

\* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

- (1) A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of -
  - (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
  - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;
  - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
  - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.
- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief:

To be release from Erie Prison  
on Unlawful Custody, And Damages Cause business  
Interruptions of Petitioner lively hood, Punitive Damages,  
or any other relief to which petitioner may be entitled. Monetary Damages, Education,  
Disruption, And Business Disruption, Civil Suit Disruption? of Cases-103832007  
mentally And Physically,  
interferences of children lively hood  
in Petitioner Raising of children.  
Corey Harris, ProSe  
Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on 12/31/07 (month, date, year).